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Chair: Mr. Haniff ..... (Malaysia)

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The meeting was called to order at 10:15 a.m.

Agenda item 62: Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions (*continued*) (A/C.3/66/L.69/Rev.1)

Draft resolution A/C.3/66/L.69/Rev.1: Assistance to refugees, returnees and displaced persons in Africa

1. **Ms. Sulimani** (Sierra Leone), introducing the draft resolution on behalf of the African Group, said that in addition to the sponsors cited in the document, Brazil, Canada, Denmark, Germany, Japan, Luxembourg, Switzerland and the United Kingdom had become sponsors. The draft resolution was based on resolution 65/193 and contained the usual technical updates, including new elements to reflect key developments concerning refugees on the African continent, particularly in the Horn of Africa and North Africa.

2. A number of revisions had been made to the text of the draft resolution. At the beginning of the third preambular paragraph, the word "*Recalling*" had been changed to "*Welcoming*". The last line of paragraph 11 had been reworded to read "support the sustainability of voluntary return, reintegration and resettlement". In paragraph 21, the phrase "to intensify their support" had been replaced by the words "to continue, and where appropriate, intensify their support".

3. **Mr. Gustafik** (Secretary of the Committee) announced that Belgium, Bosnia and Herzegovina, Bulgaria, the Central African Republic, Chile, the Czech Republic, Finland, Haiti, Honduras, India, Ireland, Italy, Latvia, Lithuania, Montenegro, Poland, Portugal, the Republic of Moldova, Romania, Serbia, Slovenia, the former Yugoslav Republic of Macedonia and the United States of America had become sponsors.

Agenda item 69: Promotion and protection of human rights (*continued*)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) (A/C.3/66/L.44/Rev.1)

(c) Human rights situations and reports of special rapporteurs and representatives (*continued*) (A/C.3/66/L.54, L.55/Rev.1, L.56 and L.70)

Draft resolution A/C.3/66/L.44/Rev.1: Promotion of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms

4. **Ms. Merchant** (Norway), introducing the draft resolution, said that its main goal was to promote the implementation of the Declaration on Human Rights Defenders, as well as to support the mandate of the Special Rapporteur. The draft resolution had been subject to several informal and bilateral consultations and many concessions had been made. Several delegations had demonstrated considerable flexibility, for which her delegation was extremely grateful. Andorra, Armenia, Benin, Bosnia and Herzegovina, Bulgaria, Chile, the Congo, Côte d'Ivoire, Estonia, Guatemala, Honduras, Jordan, Malta, Monaco, Morocco, the Netherlands, New Zealand, Peru, San Marino, Senegal, the United States of America and Vanuatu had joined the sponsors.

5. **Mr. Gustafik** (Secretary of the Committee) said that Cyprus, Haiti, Mali, Norway, Panama, Paraguay, the Republic of Moldova, Romania, Slovakia, Slovenia, Ukraine and Uruguay had become sponsors.

6. **The Chair** invited to the Committee to resume consideration of sub-item (c) of agenda item 69.

7. **Ms. Astiasarán Arias** (Cuba), speaking on behalf of the group of the Non-Aligned Movement, said that she wished to reiterate its firm stance with regard to the ongoing selectivity, double standards and politicization reflected in the resolutions on human rights in developing countries which were members of the Group. The Sixteenth Ministerial Conference of the Non-Aligned Movement in Bali had emphasized the role of the Human Rights Council as the United Nations body principally responsible for consideration of the human rights situation in all countries without distinction. Its universal periodic review was the appropriate mechanism to consider all human rights issues without distinction and on the basis of cooperation and constructive dialogue.

8. At the Bali Ministerial Conference, heads of State and Government had expressed deep concern with regard to country-specific draft resolutions in the Third Committee, which undermined cooperation. The practice amounted to the exploitation of human rights issues to suit a political agenda and went against the principles of universality and objectivity that should

underlie all considerations of human rights in both developed and developing countries. The draft resolutions before the Third Committee were based on the political motivations of certain States and undermined the credibility of United Nations human rights mechanisms. She therefore called on all delegations to vote against any resolution which targeted specific countries.

Draft resolution A/C.3/66/L.54: Situation of human rights in the Democratic People's Republic of Korea

9. **The Chair** said that the draft resolution contained no programme budget implications.

10. **Mr. Herczyński** (Poland), introducing the draft resolution on behalf of the European Union and the sponsors, said that the Marshall Islands, Palau, Tuvalu and Vanuatu had joined the sponsors. The Democratic People's Republic of Korea had made no substantial effort to address the concerns of the international community with regard to the human rights situation in that country. If the world did not react, a signal would be sent that international concern had decreased or that the situation had improved, which was not the case.

11. The General Assembly could not ignore the suffering of the people of the Democratic People's Republic of Korea and should, with the adoption of the draft resolution, urge its Government to put an immediate end to its human rights violations. While a negotiation process to address the issues contained in the draft resolution would have been preferable, the Government had refused to engage in any discussion. His delegation therefore strongly encouraged all Member States to vote in favour of the draft resolution.

12. **Mr. Kim Song** (Democratic People's Republic of Korea) said that his delegation unequivocally rejected the draft resolution as no human rights violations of the sort described in it had occurred in his country. It was a politically motivated document that politicized the issue of human rights and whose aim was to stoke confrontation. Although his Government reiterated its willingness to engage in dialogue, it could not compromise on the draft resolution, which had nothing to do with human rights and everything to do with politics. It was a typical example of the selectivity and double standards that characterized the Human Rights Council.

13. Human rights violations committed by Western nations, including mass killings committed in Iraq and Afghanistan by the United States of America, had never been brought up for scrutiny, nor had the human rights situations in many countries which sponsored the draft resolution been taken into account, including sexual violence, torture, racial discrimination and the maltreatment of immigrants and indigenous peoples. In addition developing countries had been coerced into sponsoring the draft resolution through economic pressure in the form of aid.

14. Since the draft resolution was the product of political manipulation and pressure, it could never be an accurate reflection of the will of the international community. The Democratic People's Republic of Korea would never accept it even if it were adopted. His delegation requested a vote on the draft resolution and thanked all Member States that supported his country's position.

15. **Mr. Nishida** (Japan) said that the promotion and protection of human rights were legitimate concerns of the international community. His country believed that those concerns should generally be addressed through dialogue and cooperation. However, there were grave concerns with regard to the human rights situation in the Democratic People's Republic of Korea which should be addressed through he adoption of draft resolution A/C.3/66/L.54.

16. The universal periodic review was a valuable opportunity for all countries to review their respective human rights situations and to accept its recommendations. The Democratic People's Republic of Korea had joined the process in December 2009 but had not yet accepted any of the 167 recommendations that had been made. It had likewise refused to engage in any dialogue and constructive cooperation with regard to the special procedures mandated by the Human Rights Council. The abduction issue remained outstanding, with 12 of the 17 Japanese nationals identified by his Government as having been abducted by the Democratic People's Republic of Korea not yet returned. His country urged the Democratic People's Republic of Korea to establish an investigative committee without delay as the abduction issue represented a fundamental violation of human rights.

17. There was concern that the universal periodic review was not adequately addressing the human rights situation in the Democratic People's Republic of Korea. It was important, therefore, for the Human Rights Council and the entire international community

through the General Assembly to express their collective concern regarding the human rights situation in general and the abduction issue in particular. He urged all delegations to adopt the draft resolution and hoped that the Democratic People's Republic of Korea would accept its recommendations.

18. **Ms. Li** Xiaomei (China), speaking in explanation of vote before the voting, said that her country believed that differences in the human rights arena should be addressed through dialogue and cooperation on the basis of equality and mutual respect. It was opposed to using country-specific resolutions to exert pressure or to establish country-specific human rights mechanisms. Politicized finger-pointing could not improve a country's human rights situation and only provoked meaningless confrontations.

19. Her country welcomed the cooperation between the Democratic People's Republic of Korea and UNICEF, the Food and Agricultural Organization, the World Food Programme and other agencies. It called on the international community to take a pragmatic and constructive attitude with regard to the economic and social development challenges faced by the Democratic People's Republic of Korea and provide more effective humanitarian assistance in order to create a favourable international environment to promote progress, stability and human rights in that country. On that basis, China would vote against the draft resolution.

20. **Ms. Alsaleh** (Syrian Arab Republic) said that her delegation wished to express its regret over the insistence of some States to introduce draft resolutions dealing with the human rights situations in specific countries for political reasons. The practice threatened the credibility of political and legal reference points in the framework of international relations and undermined international consensus on the machinery dealing with human rights.

21. Her delegation wished to reaffirm its opposition in principle to such initiatives based on the Syrian Arab Republic's refusal to invoke human rights issues selectively in order to interfere in the internal affairs of Member States on humanitarian and legal pretexts. Doing so contradicted the Charter of the United Nations, which affirmed the principle of the sovereign equality of all Member States. Human rights issues should be dealt with in the appropriate forum, namely the Human Rights Council, which reviewed questions of human rights in all Member States and not in specific States. The Syrian Arab Republic would therefore vote against the draft resolution.

22. **Ms. Calcinari Van Der Velde** (Bolivarian Republic of Venezuela) said that her delegation associated itself with the statement made by the Cuban delegation on behalf of the group of the Non-Aligned Movement. Venezuela would vote against the draft resolution because it opposed the practice of some States with political agendas to introduce country specific resolutions on human rights issues without due respect for the principle of sovereign equality. It was inconceivable that some countries used human rights as a political weapon against others.

23. Her delegation likewise deplored the fact that year after year the majority of countries in the Third Committee had been subjected to political manipulation by those countries which sponsored draft resolutions that pointed fingers at and criminalized other States. The General Assembly should not be used for such despicable ends. It was the Human Rights Council, through the universal periodic review, which was mandated to examine human rights situations based on impartial and objective evaluations, and the Third Committee should immediately end all accusatory practices.

24. **Mr. Chigejo** (Zimbabwe) said that, although human rights had become a universal issue extending beyond national boundaries, the promotion and protection of human rights remained first and foremost the responsibility of the individual States concerned. If other countries or non-State entities had any concerns regarding human rights that they believed merited the attention of the international community, they should make suggestions or offer assistance to the countries in question to help them address those issues. However all such engagements should be undertaken through consultative dialogue, impartiality, objectivity, transparency and in full respect for the Charter of the United Nations and the principles of State sovereignty, territorial integrity, political independence and non-interference in the internal affairs of other countries.

25. The presentation of country-specific draft resolutions contradicted those guiding principles and constituted politically motivated attacks by certain powerful countries seeking to interfere in the internal affairs of others. They also undermined cooperation as the essential principle to effectively promote respect

for human rights. Zimbabwe would, therefore, vote against the draft resolution.

26. **Ms. Astiasarán Arias** (Cuba) said that her Government maintained a traditional position against country-specific resolutions which sought to selectively accuse countries of the South on the basis of clear political motivations without any relationship to the real defence of human rights. Such harmful practices had been responsible for discrediting the former Commission on Human Rights and had led to its disappearance. Only genuine international cooperation based on the principles of impartiality, objectivity and non-selectivity could ensure the promotion and effective protection of human rights. The Human Rights Council with its universal periodic review mechanism was the proper forum for the examination of human rights. Cuba would therefore vote against the draft resolution.

27. **Mr. Gurung** (Nepal) said that his country supported the concerns expressed in the draft resolution, particularly with regard to the issue of abductions. It opposed any form of enforced disappearance as it contravened fundamental tenets of human rights and called on the Democratic People's Republic of Korea to resolve those concerns. However, country-specific resolutions on human rights situations should be addressed by the Human Rights Council through the universal periodic review. There should be greater engagement in developing thematic issues through the Council, the Office of the High Commissioner for Human Rights, treaty bodies, special procedures and human rights mechanisms. Nepal would therefore abstain in the vote on the draft resolution.

28. *At the request of the representative of the Democratic People's Republic of Korea a recorded vote was taken on draft resolution A/C.3/66/L.54.*

In favour:

Afghanistan, Albania, Andorra, Argentina, Australia, Austria, Bahamas, Bahrain, Belgium, Belize, Benin, Bhutan, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burundi, Canada, Cape Verde, Central African Republic, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, El Salvador, Estonia, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kiribati, Kyrgyzstan, Latvia, Lebanon, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Maldives, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Morocco, Nauru, Netherlands, New Zealand, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Lucia, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Serbia, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Tunisia, Turkey, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Vanuatu.

Against:

Algeria, Belarus, China, Cuba, Democratic People's Republic of Korea, Egypt, Iran (Islamic Republic of), Myanmar, Oman, Russian Federation, Sudan, Syrian Arab Republic, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Zimbabwe.

Abstaining:

Angola, Antigua and Barbuda, Armenia, Azerbaijan, Bangladesh, Barbados, Bolivia (Plurinational State of), Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Comoros, Congo, Côte d'Ivoire, Dominican Republic, Ecuador, Ethiopia, Fiji, Gambia, Grenada, Guatemala, Guyana, India, Indonesia, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Malaysia, Mali, Mauritania, Mozambique, Namibia, Nepal, Nicaragua, Niger, Pakistan, Qatar, Rwanda, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Senegal, Singapore, South Africa, South Sudan, Sri Lanka, Suriname, Swaziland, Tajikistan, Thailand, Trinidad and Tobago, Turkmenistan, Uganda, Yemen, Zambia.

29. *Draft resolution A/C.3/66/L.54 was adopted by 112 votes to 16, with 55 abstentions.**

30. **Mr. Abdullah** (Malaysia) said that his country believed in a non-confrontational approach in all inter-State matters, including on the issue of human rights, preferring constructive and respectful dialogue and cooperation with the aim of improving the state of affairs with due respect for the national sovereignty and territorial integrity of all Member States. It did not support resolutions targeting specific countries, regardless of the system of governance of the country involved. Malaysia had therefore abstained in the vote on the draft resolution.

31. Human rights should not be exploited for political gains, including through the selective targeting of countries, a practice which ran counter to the Charter and the universal periodic review mechanism. His country took note of developments in the Democratic People's Republic of Korea and the challenges that it and the United Nations both faced with regard to the recommendations put forward in the universal periodic review of the Human Rights Council. It hoped that the Democratic People's Republic of Korea and United Nations could agree on a solution with regard to the work of the Special Rapporteur.

32. **Mr. Khan** (Indonesia) said that his country wished to express its full support for the work of the international community in protecting and promoting human rights. It believed however that such efforts should be based on mutual respect and genuine international dialogue and cooperation. One of the main reasons for the reform of the human rights mechanism, and particularly for the creation of the Human Rights Council, had been to allow for a non-politicized and more credible consideration of country-specific situations.

33. The universal periodic review of the Human Rights Council provided a mechanism for assessing the human rights situation in all Member States on an equal basis. It was of the utmost importance that it should be optimized in order to eliminate selectivity, double standards and politicization. Indonesia had therefore been unable to support the draft resolution. Nevertheless it recognized that the draft resolution reflected unresolved issues in the Democratic People's Republic of Korea and hoped that due consideration would be given to the issues that it addressed. Indonesia had therefore abstained in the vote on the draft resolution.

34. **Mr. de Sellos** (Brazil) said that his country's support for the draft resolution reflected its concern over the lack of engagement and cooperation between the Democratic People's Republic of Korea and the United Nations human rights system. However the vote should not be understood as a condemnation but rather as encouragement to the Democratic People's Republic of Korea to strengthen its cooperation with the international human rights system. His country had taken note of the positive developments with respect to cooperation with United Nations agencies, particularly in the humanitarian field. Support from the international community for the humanitarian efforts in the Democratic People's Republic of Korea was essential, and all Member States were urged to provide assistance.

35. In spite of those positive developments, his country noted with concern the reports of the Secretary-General and the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea, particularly with regard to the issue of the abduction of Japanese citizens. Full cooperation with relevant authorities was urged in order to resolve the situation, including by allowing for the immediate return of the abductees. Action should also be taken to resume the process of family reunification along the border. It was unfortunate that the Democratic People's Republic of Korea had not clarified its position with respect to the recommendations made in the universal periodic review, and he urged the Democratic People's Republic of Korea to cooperate with all relevant United Nations human rights bodies, including the Special Rapporteur.

36. **Ms. Velichko** (Belarus) said that her country wished to endorse the statement made by Cuba on behalf of the group of the Non-Aligned Movement. Belarus had always opposed country-specific resolutions. The General Assembly and the Third Committee should not serve as platforms for such resolutions as they undermined the role of the Human Rights Council as an objective mechanism for addressing human rights issues. The draft resolution under consideration was selective and politically motivated. No country had an ideal human rights situation, and pointing out faults in others was

* The delegation of Fiji subsequently informed the Committee that it had intended to vote in favour of the draft resolution.

ultimately counterproductive. Belarus therefore had voted against the draft resolution.

37. **Ms. Phommachanh** (Lao People's Democratic Republic) said that her delegation shared the common view of the Non-Aligned Movement that country-specific resolutions would not help to address human rights issues. Only the Human Rights Council and the universal periodic review mechanism were acceptable platforms to address the issue of human rights objectively and without prejudice. Her country had therefore abstained from voting on the draft resolution.

38. **Ms. Nguyen Cam Linh** (Viet Nam) said that her delegation had voted against the draft resolution due to its principled position of not supporting resolutions on the human rights situations in specific countries. Constructive dialogue, positive engagement and cooperation were the only appropriate and effective solutions to address human rights issues, including through the Human Rights Council and the universal periodic review. Her country shared the concern expressed in the draft resolution with respect to abductions, and extended its sympathy to the victims with the hope that the issue could be resolved.

39. **Mr. Swe** (Myanmar) said that it was inappropriate to address the issue of human rights in any specific country in the Committee. The universal periodic review of the Human Rights Council was the best mechanism to consider the human rights situations in all countries. The sponsors of the draft resolution should rather offer countries constructive advice and support through the universal periodic review process. Myanmar therefore had voted against the draft resolution.

40. **Ms. Ruin** (Costa Rica) said that her country's concern for human rights situations in specific countries as reflected in the draft resolutions before the Committee had prompted her delegation to vote in favour of two of them. At the same time, it maintained its position of principle to vote against all mentions of non-action because it prevented the international community from examining issues of interest which Member States would like to examine, including actions taken by countries to improve their human rights situations. Nevertheless, as the Human Rights Council was the main body with the competence to examine human rights issues, country-specific resolutions should not be referred to the Committee. Systematic abuses of human rights should be subject to examination, but that examination should be guided by constructive dialogue.

41. **Mr. Kim** Song (Democratic People's Republic of Korea) said that his delegation was deeply concerned by the escalation represented by the adoption of the draft resolution. Problems, including human rights issues, should be solved through negotiation and dialogue, which was incompatible with political pressure. While the Democratic People's Republic of Korea was prepared to engage in dialogue, it could not compromise in the face of a confrontational approach. It therefore rejected the draft resolution while thanking those delegations which had voted in support of his country's position. Finally, his delegation insisted that the crimes against humanity committed by Japan against the Korean people in the past should be addressed by the Committee before it undertook any further consideration of country-specific human rights resolutions. Until that happened, the Democratic People's Republic of Korea was under no obligation to discuss its human rights situation.

Draft resolution A/C.3/66/L.55/Rev.1: Situation of human rights in Myanmar

42. **The Chair** drew attention to the programme budget implications of draft resolution A/C.3/66/L.55 contained in document A/C.3/66/L.70, which also applied to draft resolution A/C.3/66/L.55/Rev.1.

43. **Mr. Herczyński** (Poland), speaking on behalf of the European Union and the sponsors, said that Israel had joined in sponsoring the draft resolution. The international community had long been concerned by the human rights situation in Myanmar. While those concerns remained and were reflected in the draft resolution before the Committee, some important steps had been taken recently by the Government of Myanmar with respect to national reconciliation and the human rights situation.

44. Bilateral consultations had been held with interested delegations and the Government concerned throughout the drafting process, and those discussions had resulted in some revisions of the draft text, including in the fifth and twelfth preambular paragraphs and in recognition of the progress made with respect to Myanmar's cooperation with the international community. While the sponsors of the draft resolution would have preferred a consensual approach, agreement could not be reached and a vote

would be called for. The European Union and all the sponsors would vote in favour, and he urged all delegations to do likewise.

45. **Mr. Swe** (Myanmar) said that his Government was striving to build a democratic society based on the agenda set out by the President upon his inauguration earlier that year. Implementation of the new policy guidelines, which included engagement with international and regional organizations, had resulted in the designation of Myanmar as the 2014 Chair of the Association of Southeast Asian Nations (ASEAN) at the recent ASEAN Summit. His Government had also been receiving dignitaries from States from around the world and delegations from the United Nations and the European Union. In addition, for the first time in over 50 years, the United States Secretary of State would be visiting Myanmar in the coming weeks. His Government was clearly committed to strengthening cooperation with the international community and building a democratic State.

46. Both the Special Adviser to the Secretary-General on Myanmar and the Special Rapporteur on the situation of human rights in Myanmar had made several visits that year and had been accorded full cooperation. Moreover, in response to an invitation from the President, the Secretary-General would be visiting the country within the coming months. Myanmar had undergone the universal periodic review process of the Human Rights Council and was working to implement many of the resulting recommendations. The National Human Rights Commission, composed of independent experts, had been recently established and was already accepting complaints of violations. In addition, in order to promote national reconsolidation efforts, the Government had granted amnesty to prisoners, reinstated the National League for Democracy as a legal political party and was holding talks with the remaining armed groups to end armed conflicts.

47. Those were just some of the constructive measures taken during the past eight months. The Government remained committed to continuing the reform process within its capacity and resources. In those early stage of democratic reform, Myanmar deserved the understanding and sincere encouragement of the international community, not the negative approach embodied in the draft resolution under consideration. While the text did reflect some of the positive developments in the country, it failed to reflect the entire situation on the ground. His delegation deeply regretted that the main sponsor had still chosen in paragraph 1 to use language expressing grave concern "about the ongoing systematic violations of human rights and fundamental freedoms of the people of Myanmar", which was evidence of the European Union's determination to continue to exploit human rights and target specific countries for political purposes.

48. Such use of double standards, partiality and selectivity in itself constituted a violation of human rights in the context of international relations. Given that the universal periodic review process was the effective mechanism used to evaluate the human rights situation of all countries on an equal basis, such politically motivated resolutions had no place within the General Assembly. He appealed to Member States to stand in solidarity with Myanmar as a matter of principle and vote against the draft resolution.

49. **Mr. Budak** (Turkey) said that his delegation welcomed the important steps taken by the Government of Myanmar to strengthen the international community's confidence in the reform process. It hoped that actions to further open the political environment would continue.

50. **Mr. Kim** Song (Democratic People's Republic of Korea), speaking in explanation of vote before the voting, said that his delegation firmly believed that human rights matters in a given State could not be resolved through the interference of other States. The human rights mechanisms of the United Nations were the appropriate means to address such issues without undermining trust between partners. In line with the traditional position of the Non-Aligned Movement, his delegation would vote against the draft resolution.

51. **Mr.** Amit **Kumar** (India) said that experience had shown that country-specific resolutions were counterproductive and his delegation would therefore vote against the draft resolution. Every State should be encouraged and have access to robust mechanisms to address human rights violations. He urged the sponsors not to pursue such draft resolutions and instead recognize the significant economic and political reforms enacted by the Government of Myanmar. A more productive way forward would be to seek to engage the Government in collaborative partnerships.

52. **Ms. Calcinari Van Der Velde** (Bolivarian Republic of Venezuela) said that her Government was

firmly committed to the principles of non-interference and respect for sovereignty and would vote against the draft resolution, which politicized the protection of human rights and ran contrary to the principles of the Charter of the United Nations. The Human Rights Council was the most appropriate body for addressing human rights situations through a process of dialogue and objective examination. It was unacceptable that the sponsors were using human rights issues to stigmatize particular States, as they lacked any moral authority. Her delegation called for an end to that practice.

53. **Mr. Srivali** (Thailand) said that his delegation would abstain from voting based on its long-held position that the advancement of human rights should be pursued through constructive engagement rather than through General Assembly resolutions. In addition, it should be noted that Myanmar had undergone the universal period review process, which was the most appropriate forum for discussing human rights situations in a non-discriminatory manner. His Government was encouraged by the steps taken by the Government of Myanmar towards national reconciliation, including the establishment of a human rights commission. Thailand had supported Myanmar's bid for Chairmanship of the Association of Southeast Asian Nations (ASEAN) in the hope that it would continue its momentum towards reform. As Myanmar's neighbour, Thailand also stood ready to lend its support bilaterally and within the ASEAN context.

54. **Ms. Astiasarán Arias** (Cuba) said that her delegation would vote against the draft resolution based on its opposition to measures that selectively targeted Southern States. The universal period review process was the appropriate means for considering human rights situations, on the basis of dialogue and cooperation.

55. *At the request of the representative of Myanmar, a recorded vote was taken on draft resolution A/C.3/66/L.55/Rev.1.*

In favour:

Afghanistan, Albania, Andorra, Argentina, Armenia, Australia, Austria, Bahamas, Belgium, Belize, Bosnia and Herzegovina, Botswana, Bulgaria, Burundi, Canada, Cape Verde, Central African Republic, Chile, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, El Salvador, Estonia, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Kiribati, Latvia, Lebanon, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Maldives, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Netherlands, New Zealand, Norway, Palau, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Lucia, Samoa, San Marino, Sao Tome and Principe, Serbia, Seychelles, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Togo, Tonga, Tunisia, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Vanuatu.

Against:

Algeria, Azerbaijan, Bangladesh, Belarus, Brunei Darussalam, Cambodia, China, Cuba, Democratic People's Republic of Korea, Egypt, India, Iran (Islamic Republic of), Lao People's Democratic Republic, Myanmar, Nicaragua, Oman, Russian Federation, Senegal, Sri Lanka, Sudan, Syrian Arab Republic, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Zimbabwe.

Abstaining:

Angola, Antigua and Barbuda, Bahrain, Barbados, Benin, Bhutan, Bolivia (Plurinational State of), Brazil, Burkina Faso, Cameroon, Colombia, Comoros, Congo, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Ethiopia, Fiji, Gambia, Grenada, Guatemala, Guyana, Indonesia, Jordan, Kenya, Kuwait, Kyrgyzstan, Lesotho, Madagascar, Malawi, Malaysia, Mali, Mauritania, Morocco, Mozambique, Namibia, Nauru, Nepal, Niger, Nigeria, Pakistan, Papua New Guinea, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Saudi Arabia, Singapore, South Africa, South Sudan, Suriname, Swaziland, Tajikistan, Thailand, Timor-Leste, Trinidad and Tobago, Turkmenistan, Uganda, United Arab Emirates, Yemen, Zambia.

56. *Draft resolution A/C.3/L.55/Rev.1 was adopted by 98 votes to 25, with 63 abstentions.*

57. **Ms. Li** Xiaomei (China) said that her delegation regretted that some States had chosen to advance a draft resolution against Myanmar within the Third Committee. Cooperation and dialogue were the best way to address human rights situations. Through the positive measures that it had taken to promote national reconciliation, the Government of Myanmar had shown that such dialogue was possible. As a neighbouring State, her Government wished to see economic progress and stability in Myanmar.

58. **Mr. Khan** (Indonesia) said that his Government had been a supporter of the Secretary-General's good offices mission in Myanmar, both bilaterally and within ASEAN. His delegation was heartened to note that the new Myanmar Government had begun to implement the reform measures which it had outlined earlier that year, in particular the establishment of a human rights commission. The fact that Daw Aung San Suu Kyi had been allowed to engage in high-level dialogue was also a source of encouragement. While his delegation supported the united message contained in the draft resolution which called for further steps towards a democratic transition, it regretted that the main sponsor had missed opportunities to better reflect the positive progress made in Myanmar.

59. A more constructive approach would have recognized the enormity of the task of making a peaceful transition towards democracy. He recalled the Secretary-General's repeated calls for united support from the international community as the means to encourage the Government of Myanmar. The universal periodic review process provided a more realistic mechanism for assessing the human rights situation in all Member States. On the basis of those considerations, his delegation had abstained from voting.

60. **Mr. Abdullah** (Malaysia) said that his delegation welcomed the positive developments towards national reconciliation in Myanmar. The international community should enhance its engagement with the Government of Myanmar rather than exploiting human rights for political purposes. A non-confrontational approach must be adopted in all inter-State matters. His delegation had therefore abstained from voting. He urged Member States to take advantage of the universal periodic review process to address the human rights questions in given States. His Government looked forward to the reforms planned in Myanmar, which would transform it into a more prosperous neighbour, and urged the Government to cooperate with Secretary-General's good offices mission.

61. **Ms. Nguyen Cam Linh** (Viet Nam) said that, as a neighbouring State, her country had been closely following the developments in Myanmar. She commended the States that had urged the international community to support the national reconciliation process. It was hoped that the Government of Myanmar would maintain its momentum and achieve peace and prosperity. The inclusion by the sponsors of some positive elements within the draft resolution that year should be seen as an indication that cooperation was the only effective means to resolving the situation in Myanmar. Her delegation did not support the use of country-specific resolutions and had voted against the draft resolution.

62. **Mr. Ntwaagae** (Botswana) said that his delegation had voted in favour of the draft resolution for a number of reasons. The commitments to reform set out by the President of Myanmar, the release of some political prisoners and the opening of a democratic process, were welcome signs that a credible and efficient system of government was under development. It was in the national interest of the Government to seize the opportunity to achieve durable peace and unity. Its re-engagement with the international community and the United Nations system was also an encouraging development.

63. However, his Government remained concerned about the remaining human rights issues in the country, as set out in the Secretary-General's reports, including armed conflicts among ethnic groups, the continued detention of political prisoners and concerns regarding the availability and accessibility of education and health care. He urged the Government to demonstrate its willingness to address those issues and offered his own Government's support in promoting and protecting of human rights.

64. **Mr. de Séllos** (Brazil) said that his Government welcomed the steps taken by Myanmar to promote human rights and advance the transition to democracy and encouraged increased efforts in that direction. The participation of Myanmar in the universal periodic review process earlier that year was also a particularly encouraging sign of renewed dialogue with the United Nations system. The international community should strengthen its cooperation with the Myanmar

authorities to support national reconciliation and ensure the enjoyment of human rights in the country.

65. However, many human rights issues remained to be addressed, including the situation of ethnic minorities and the detention of prisoners of conscience, which was a matter of particular concern to his Government. While the release of some detainees was a welcome development, there were discrepancies between sources in terms of the number of remaining prisoners. He urged the relevant parties to investigate and provide accurate numbers to prevent any misunderstandings. He also called on the Government to investigate the reports of sexual violence committed by members of the armed forces and offer reparation to the victims. His delegation took note that ASEAN had expressed optimism concerning the future of Myanmar and called on the proponents of the draft resolution to respond in a manner compatible with progress made when considering the human rights situation in a country.

66. **Mr. Kodama** (Japan) said that his delegation supported the international community's call for further measures to improve the human rights situation and promote democracy in Myanmar and had therefore voted in favour of the draft resolution. It had proposed amendments acknowledging progress towards national reconciliation in order to balance the text and was pleased that they had been included. He welcomed the Government's amendment of the law on political parties and the restoration of the National League for Democracy, which would result in more fair and open elections. It was hoped that the Government would address the outstanding human rights issues, including by releasing the remaining political prisoners.

67. **Mr. Ang** Choo Pin (Singapore) said that his delegation disagreed with the adoption of country-specific draft resolutions as a matter of principle, as they were politically motivated and divisive. The universal periodic review process had been developed precisely to address human rights issues. His delegation had therefore abstained in the vote and would take that position in any future votes on similar draft resolutions. His Government welcomed the positive changes that had taken place in Myanmar, which would help integrate the country into the global community.

68. **Mr. Swe** (Myanmar) said that his delegation had requested a vote pursuant to the principled stance of the Non-Aligned Movement against country-specific resolutions. The draft resolution had been introduced at a time when his Government was strengthening its cooperation with the international community. Reports issued by high-level United Nations officials had noted positive outcomes of their missions in Myanmar and had underscored the need for a constructive approach. The draft resolution only served to undermine trust between his Government and potential partners.

69. No State could claim a perfect human rights record; Member States should therefore oppose measures that embodied double standards in that regard. His Government disassociated itself from the draft resolution and would not be bound by its provisions. In line with its foreign policy, it would continue to cooperate with the good offices mission of the Secretary-General and the Human Rights Council with sincerity and good will. He thanked those delegations that had stood in solidarity with Myanmar, despite the pressure exerted on them.

70. **Ms. Horsington** (Australia) said that her delegation acknowledged the progress towards reform achieved by the Government of Myanmar, including new legislation on labour unions and greater freedom for the media. The draft resolution struck a balance between encouraging the positive trajectory and emphasizing the need to address remaining human rights concerns. Her Government stood ready to help the Government of Myanmar to follow through on its commitments to promoting democracy and national reconciliation and safeguarding human rights. The efforts of the Myanmar delegation to engage with the text were appreciated, and she hoped the Government would consider the draft resolution positively, as its message aimed to enhance the democratic process.

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71. **The Chair** said that the draft resolution contained no programme budget implications.

72. **Mr. Gustafik** (Secretary of the Committee) announced that Andorra had joined the sponsors.

73. **Mr. Rishchynski** (Canada), speaking as the main sponsor, said that the decision to put forward a draft resolution on the Islamic Republic of Iran had not been taken lightly. The human rights situation on the ground had deteriorated since the Committee had discussed the issue the previous year. The Iranian Government's

persistent disregard for human rights and the egregious nature of its violations warranted the attention of the General Assembly. The Secretary-General's report on the situation of human rights in the Islamic Republic of Iran (A/66/361) had noted an intensification of human rights violations, and the situation had even led the Human Rights Council to appoint a Special Rapporteur to report on human rights conditions in the country. However, the Government had not permitted the Special Rapporteur to make a visit and carry out his mandate.

74. The sponsors had made an effort to accurately reflect in the text the developments over the past year. The draft resolution called on the Government to release those who had been arbitrarily detained and cooperate with the mandate of the Special Rapporteur. As the only body responsible for international human rights issues within the General Assembly, the Committee had an obligation to hold the Government accountable for the very serious human rights violations and provide a voice for the Iranian people. Lastly, he pointed out that in paragraph 2 (o) of the draft resolution, the phrase "subjected to torture and rape" had been revised to read, "subjected to torture, including rape".

75. **Ms. Medal** (Nicaragua) said that the promotion and protection of human rights were a pillar of her Government, which supported the international community's efforts to protect human rights around the world. Her delegation wished to reiterate the statement made by the representative of Cuba on behalf of the Non-Aligned Movement concerning country-specific draft resolutions on human rights presented each year. The Human Rights Council was the appropriate body to address such issues, specifically through the universal periodic review mechanism, which was based on the principles of universality, objectivity and non-selectivity.

76. **Mr. Larijani** (Islamic Republic of Iran) said that in the ninth consecutive year in which the United States of America, the European Union and Canada had advanced a draft resolution on the human rights situation in his country, it was more evident than ever that such a measure was procedurally unwarranted, substantially unfounded and intentionally malicious. The fact that the Human Rights Council had appointed a Special Rapporteur to evaluate the human rights situation in his country further justified a rejection of the draft resolution. The Special Rapporteur should be given time to prepare his reports without external pressure of prejudices in order for his mandate to be relevant. The Human Rights Council had been created precisely to prevent selectivity, and it should take full responsibility for pursuing human rights concerns worldwide.

77. His Government supported the principle of universality and had itself undergone the universal periodic review process the previous year. It had also defended its third periodic report on the implementation of the International Covenant on Civil and Political Rights that year. His country had hosted the most visits from special procedures mandate holders of the Human Rights Council in the region and would be hosting the High Commissioner for Human Rights in the coming year. Such cooperation with United Nations mechanisms clearly constituted meaningful and genuine cooperation by his Government and provided solid grounds rejecting the draft resolution.

78. The universal periodic review process constituted the basis of his country's commitment to constructive cooperation, as it was an efficient and accountable mechanism which resulted in recommendations instead of accusations. However, the process of reporting on human rights within the United Nations system was misused. The reports of the Special Rapporteur and the Secretary-General on the human rights situation in the Islamic Republic of Iran were unprofessional, biased and near replicas of one another. The Committee should not allow such manipulation of the process by certain countries, which masked colonialist attitudes and arrogant attempts to dominate his country. The draft resolution consisted of over 150 shameful and baseless allegations and was an insult to the institution of the United Nations as a whole.

79. The States that were ostensibly champions of human rights were themselves not facing country-specific resolutions, although they were responsible for many documented human rights violations. For example, discrimination against immigrants was on the rise across Europe, the United States and Canada. No one could deny the increase in Islamophobia across the Western world, which had resulted in the violation of the basic rights of Muslims, while United States drones regularly killed innocent Afghan women and children.

80. The world was enthusiastically witnessing the historic toppling of notorious dictators across the

Middle East, many of whom had been strategic allies of the United States and other sponsors of the draft resolution and had enjoyed their support for decades. It was also revealing that the sponsors were mostly those who had ignored the Israeli regime's gross violation of the human rights of the Palestinian people. It was especially ironic that Israel, with its appalling record of war crimes, was among the sponsors.

81. The greatest achievement of the Islamic revolution in his country was the creation of a democratic social and political structure based on Islamic ideology, which had transformed it into a unique and major democracy in the Middle East, where positions of power were acquired and lost through the will of the people. For the West, his Government's greatest crime was having rejected secular liberal ideology with successful outcomes. Islamic rationality had made precious contributions to culture and social development, most recently inspiring the popular uprisings in the region, which were testimony of the failure of Western values and political dominance. In view of those considerations, he requested a recorded vote on the draft resolution and urged the Committee to preserve the credibility of United Nations human rights mechanisms by voting against it.

82. **Mr. Rakhmetullin** (Kazakhstan), speaking on behalf of the Organization of Islamic Cooperation (OIC), said that OIC was opposed to the use of country-specific resolutions, which selectively targeted developing and Islamic countries. OIC Member States were opposed to any initiative that could lead to the use of human rights as a means of exerting political pressure on developing countries. The draft resolution under consideration contradicted the spirit of cooperation. The Iranian Government had fully cooperated with the universal periodic review mechanism and, in 2010, had acceded to the Convention on the Rights of Person with Disabilities and signed the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. OIC regretted that the draft resolution had been submitted despite the evidence of the Islamic Republic of Iran's cooperation with human rights mechanisms and the positive developments in the country. He urged all Member States to oppose the measure.

83. **Mr. Ja'afari** (Syrian Arab Republic), speaking in explanation of vote before the voting, said that his delegation rejected the interference by any Member State in the internal affairs of another State under the guise of defending human rights. The Charter explicitly set out the principle of sovereign equality between all Member States. It appeared that some States were seeking to advance new guidelines that were not based on consensus or provided for in the Charter in order to exert political pressure. Cooperation for the protection of human rights in line with international law should be based on respect for national sovereignty and a country's cultural and religious specificities. He supported the Iranian delegation's view that human rights matters should be addressed within the Human Rights Council, not the Third Committee. Advancing such draft resolutions for well-known political motives threatened the legal credibility of the Committee in the context of international relations, undermined consensus on human rights matters, created double-standards and duplicated the work of more appropriate mechanisms.

84. **Ms. Calcinari Van Der Velde** (Bolivarian Republic of Venezuela) said that her delegation once again firmly rejected the condemnation of particular States based on human rights issues. Country-specific draft resolutions were an illegitimate means of engaging in strategic confrontation. The States sponsoring the texts had committed human rights violations, but were not facing any such measures themselves. The Human Rights Council had created impartial mechanisms that did not single out developing countries. Her delegation would vote against the draft resolution and urged others to do the same.

85. **Ms. Astiasarán Arias** (Cuba) said that the accusatory tactics employed in country-specific draft resolutions were the same as those that had discredited the former Commission on Human Rights. International cooperation based on the principles of objectivity and impartiality were the only means to achieving the effective promotion of human rights. The text under consideration was permeated by clear political motivations and her delegation would be voting against it.

86. *At the request of the Islamic Republic of Iran, a recorded vote was taken on draft resolution A/C.3/66/L.56.*

In favour:

Albania, Andorra, Argentina, Australia, Austria, Bahamas, Belgium, Belize, Bosnia and

Herzegovina, Botswana, Bulgaria, Canada, Cape Verde, Central African Republic, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, El Salvador, Estonia, Finland, France, Germany, Greece, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kiribati, Latvia, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Malawi, Maldives, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Nauru, Netherlands, New Zealand, Norway, Palau, Panama, Papua New Guinea, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Lucia, Samoa, San Marino, Sao Tome and Principe, Senegal, Seychelles, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Tunisia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Vanuatu.

Against:

Afghanistan, Algeria, Armenia, Bangladesh, Belarus, Bolivia (Plurinational State of), Brunei Darussalam, China, Comoros, Cuba, Democratic People's Republic of Korea, Ecuador, India, Iran (Islamic Republic of), Kazakhstan, Lebanon, Myanmar, Nicaragua, Niger, Oman, Pakistan, Qatar, Russian Federation, Sri Lanka, Sudan, Syrian Arab Republic, Tajikistan, Turkmenistan, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Zimbabwe.

Abstaining:

Angola, Antigua and Barbuda, Bahrain, Barbados, Benin, Bhutan, Brazil, Burkina Faso, Cambodia, Cameroon, Congo, Côte d'Ivoire, Djibouti, Egypt, Ethiopia, Fiji, Gabon, Ghana, Grenada, Guatemala, Guinea-Bissau, Guyana, Indonesia, Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lesotho, Malaysia, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Namibia, Nepal, Nigeria, Paraguay, Philippines, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Saudi Arabia. Serbia, Singapore, South Africa, South Sudan, Suriname, Swaziland, Thailand, Togo, Trinidad and Tobago, Tuvalu, Uganda, United Arab Emirates, Uruguay, Zambia.

87. *Draft resolution A/C.3/66/L.56, as orally revised, was adopted by 86 votes to 32, with 59 abstentions.*

88. **Mr. de Séllos** (Brazil) said that his delegation regretted the fact that requests for visits to the Islamic Republic of Iran by special procedures mandate-holders had been outstanding since 2005 and encouraged the Iranian Government to receive the recently appointed Special Rapporteur. The restrictions on civil and political rights in the country were also a matter of concern. As an advocate for a universal ban on capital punishment, his delegation would have preferred inclusion of the issue in the draft resolution. He urged the Iranian Government to implement the recommendations resulting from the universal periodic review process and take measures to abolish juvenile executions and adopt a moratorium on the death penalty.

89. The reports of arbitrary detentions and discrimination against minorities, in particular members of the Baha'i faith, were another outstanding issue. His delegation believed that the draft resolution and the reports of United Nations officials should have provided a more balanced account of the human rights situation in the Islamic Republic of Iran and acknowledged positive steps taken in the areas of education, poverty eradication and women's participation in political institutions. It also remained convinced that the Human Rights Council was best equipped to examine human rights situations in a holistic, multilateral and non-selective manner.

90. **Mr. Larijani** (Islamic Republic of Iran) said he was grateful to those delegations that had supported his position. Those who believed that they could employ the United Nations as a theatre to flaunt their privileges would be defeated by the truth. Deliberations on human rights issues should be free from false accusations and vulgar insults. It was regretful that the representative of Brazil, a country with a serious record of prejudice and mistreatment of indigenous peoples, had spoken as if he knew the truth concerning the situation in the Islamic Republic of Iran. Without protection from such games, the objectives of the United Nations would not be achieved.

The meeting rose at 1.10 p.m.